

Examiner's Amendment

An Examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Monique Cole on June 04, 2008.

The following amendments were discussed and agreed to by Applicant:

- 1) In claim 2, line 2, **delete** "or a n-hexane extract of *P. temminckii* frass".
- 2) In claim 2, line 2, **delete** "prevention/".
- 3) In claim 2, line 3 after allergy , **insert** "further comprising at least one other ingredient selected from the group consisting of beeswax, cetanol, reduced lanolin, squalene, glycerofatty acid ester, lipophilic glyceromonostearic acid ester, polyoxyethylene sorbitan monolaurate, propylene glycol and methyl paraoxybenzoate".
- 5) **Delete** claims 12-16, 19 and 20.

Reasons for Allowance

The claimed invention of "a skin cream comprising a water extract of *P. teminckii* frass" is novel and non-obvious. The closest prior art is due to Tan et al. (Tan, Hongchao and Qi, Lupei; Yunnan Forestry Survey Program, 1994, No. 3, pp 46-47) (note referred to as reference "D2" in the office action mailed 11/01/07, supplied by

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Applicant). Yan teaches that larva eats the bamboo material inside the bamboo and as a result the harmed bamboo now has feces and water accumulated in its rings. Yan does not teach any application for this frass, namely skin cream. Furthermore, there is no teaching of any additional components claimed that are formulated with the frass to obtain a skin cream. Thus the claimed invention is rendered neither anticipated nor obvious.

/S. J./

Examiner, Art Unit 1617

/SREENI PADMANABHAN/

Supervisory Patent Examiner, Art Unit 1617